

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Frederic A. MACDONALD, *et al.*

Docket No.: 06781097

107591169

U.S. Application No.: *To Be Assigned*

Filed: *Concurrently Herewith*

Group Art Unit: *Be Assigned*

Based On:

Examiner: *Be Assigned*

International Appl. No.: PCT/US2005/006234

International Filing Date: March 1, 2005

For: **SYSTEM AND METHOD FOR FACILITATING FUND-RAISING
THROUGH ONLINE DIGITAL MEDIA CONTENT SALES**

Commissioner for Patents
United States Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants respectfully bring the following information listed on accompanying Form(s) PTO/SB/08A and/or PTO/SB/08B, with attached references, to the attention of the Examiner.

Applicants have listed publication dates on the attached PTO/SB/08A and/or PTO/SB/08B based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any information provided herewith, and/or, to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted

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herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120, 1138 OG 37, 38 (May 19, 1992).

Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. §1.98 (a)(2)(i), copies of the U.S. patents and U.S. patent applications are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Copies of references are enclosed together with a duly completed Form PTO/SB/08A and/or PTO/SB/08B. The Examiner is accordingly requested to consider each of these documents, and to make them of record in this application by initialing in the appropriate spaces on the Form PTO/SB/08A and/or PTO/SB/08B. Applicants respectfully request that the Examiner include a copy of the initialed Form PTO/SB/08A and/or PTO/SB/08B with the next communication from the U.S. Patent and Trademark Office.

Applicants have checked the appropriate boxes below.

- 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits OR before the mailing date of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114. No certification or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months

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prior to the filing of this Information Disclosure Statement. 37 C.F.R.
§ 1.97(e)(1).

- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- c. Attached is our check in the amount of \$ 180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

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4. Relevance of the non-English language document(s) is discussed in the present specification.
5. The document(s) was/were cited in a corresponding foreign application. Attached is a copy of the Patent Cooperation Treaty (PCT), International Search Report and the PCT Written Opinion of the International Searching Authority.
6. A concise explanation of the relevance of the non-English language document(s) appears below:
7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
8. Copies of the documents were cited by or submitted to the Office in Application No. _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

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Applicants note that an Office Action on the merits has not issued in the present application, and thus no fee is believed necessary to ensure consideration of the submitted material. However, if an Office Action on the merits has issued and is crossing this statement in the mail, the undersigned hereby authorizes the Commissioner to charge any fee necessary for the consideration of this statement, including any payment under 37 C.F.R. §1.17 (p) to Deposit Account No. 23-1951 (McGuireWoods LLP).

It is respectfully requested that the Examiner initial and return a copy of the enclosed forms PTO/SB/08A and/or PTO/SB/08B, and to indicate in the official file wrapper of this patent application that the cited documents and photographs have been considered.

Respectfully submitted,



Charles J. Gross
Reg. No. 52,972

Date: August 30, 2006

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cgross@mcguirewoods.com

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

| Complete if Known | |
|------------------------|----------------------------------|
| Application Number | To Be Assigned 10/5911 |
| Filing Date | Concurrently Herewith |
| First Named Inventor | Frederic A. MACDONALD, et al. |
| Art Unit | To Be Assigned |
| Examiner Name | To Be Assigned |
| Attorney Docket Number | 0578000691US |

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

| | | | |
|--------------------|------------------------------|-----------------|------------|
| Examiner Signature | /Dante Ravetti/ (03/12/2008) | Date Considered | 03/12/2008 |
|--------------------|------------------------------|-----------------|------------|

⁴EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.⁵ Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.4.⁶ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.).⁷ For Japanese patent documents, the indication of the year of the reign.⁸ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.).⁹ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.¹⁰ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Ch. 8

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- 1 -

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Complete if Known

Application Number To Be Assigned
Filing Date Concurrently Herewith
First Named Inventor Frederic A. MACDONALD, et al.
Art Unit To Be Assigned
Examiner Name To Be Assigned
Attorney/Docket Number 06780069US

| | | | |
|--------------------|------------------------------|-----------------|------------|
| Examiner Signature | /Dante Ravetti/ (03/06/2008) | Date Considered | 03/06/2008 |
|--------------------|------------------------------|-----------------|------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English-language Translation is attached.

The collection of information is required by 37 CFR 1.18. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is guaranteed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. This burden will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22314-1450. DO NOT SEND FAXES, QBS, COMBI, FAXED FORMS, TADS, ADDENDUMS, SEND IT TO: cmg@uspto.gov for Privacy Act Requests, alvarez44fa@uspto.gov for FOIA Requests.

If you need assistance in completing the form, call 1-800-RTO-9199 and select option 2.